

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Hitoshi MATSUMOTO *et al.*

Serial No.: 10/019,402

Based on International Application No.: PCT/JP00/04337

Filed: December 28, 2001

For: COMPOSITIONS FOR FOODS, PROCESS
FOR PRODUCING THE SAME, AND
FUNCTIONAL FOODS AND DRINKS
CONTAINING THE SAME

#12
JRP
6/21/03
filed
12/4/02

**THIRD INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §§ 1.97 AND 1.98**

Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231

December 4, 2002

Dear Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, applicant hereby notifies the United States Patent and Trademark Office of the documents which are listed on the attached PTO-1449 forms and which the examiner may deem relevant to the patentability of the claims in the above-identified application. One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed (1) no later than three months from the application's filing date or (2) before the mailing date of an Office Action on the merits (whichever is later), and therefore no certification under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required. In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for the listed foreign language documents, a concise explanation in English is respectively attached to each foreign language document cite Nos. 1-7 and 11-14.


The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application.

Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

It is respectfully requested that the examiner initial or otherwise mark one copy of forms PTO-1449 and forward the same to the applicants indicating that the documents listed thereon have been considered.

In the event that this paper is not timely filed, applicant hereby petitions for an appropriate extension of time. The Commissioner is hereby authorized to charge the fee therefor, as well as any deficiency in the payment of the required fee(s) or credit any overpayment, to our Deposit Account No. 22-0256.

Respectfully submitted,
VARNDELL & VARNDELL, PLLC
(Formerly Varndell Legal Group)


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